MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*) : Sir, I request your permission to speak a few words.

Mr. President and members, on behalf of the Namputiri community, I take this opportunity to thank you all—the President, the Deputy President and members both official and non-official for the great interest and sympathy you have shown during the course of the discussions of the Namputiri Bill. This Namputiri Bill is the only piece of social Legislation that has been licked into shape during the life-time of this Council and I am sure that we have every right to feel gratified over the result of our labours. Six years have passed since this Bill was first introduced in the Travancore Legislative Council. This Bill, you will know, had not a smooth sailing in Council. Fortunately the difficulties have been overcome and we have been able to give the finishing touch to the Bill.

The discussions and deliberations of the Bill had swallowed up a good deal of the precious time of this Council, and consequently the Council had to postpone many an item of business affecting the wider interest of the country. But when it is viewed in the light that we have been able to give a Legislation to a community, the future prosperity and progress of which entirely depend on such an enactment, I am sure that it will not be considered as a wastage of time and energy. It is not my opinion that this Bill is free from all shortcomings, and is entirely satisfactory. Time may necessitate amendments and alterations to suit the progressive ideas of the Namputiri community and when such necessity arises I hope that the same good will and sympathy of the House would be extended then also.

It is my pleasant duty on this occasion to give expression to my indebtedness to Messrs. Tuppan Namputiripad and Jathavedan Namputiripad, the members co-opted for the considerations of the Bill. The former, as the House may remember, was the first mover of the Bill in the last Council and is an earnest worker for the welfare of the community. Mr. Jathavedan Namputhiripad who represents the more orthodox section of the community has contributed not a little to shape the Bill in such a manner as acceptable to the entire community. Their solicitude and labours for the progress of the community would be gratefully remembered.

I once again, before resuming my seat, thank you all for the kind support you have given me in finally passing this Travancore Malayala Brahmin Bill in this Council.

CONSIDERATION OF THE REPORT OF THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDER NO. 56.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) I beg to present the report of the Select Committee on the amendment of the Standing Order No. 56 of the Legislative Council Standing Orders. My amendment was to substitute '2' for '5'. But the majority of the Select Committee considered that '3' would be the proper change. With that alteration the Select Committee has submitted its Report before this House.

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[Mr. A. S. Damodaran Asan.]

Sir, I move that the Bill as reported by the Select Committee be taken up for consideration.

MR. V. CHELLAM PILLAI (*Tovala*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be taken into consideration. I shall oppose it when the Clauses are taken up.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): There is only one Clause.

PRESIDENT: So that only Clause may be taken up for consideration.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to oppose the amendment. The existing Standing Order lays down that five days' notice should be given.....

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the whole Bill is now opposed or only the particular amendment in question?

MR. KAYALAM PARAMESVARAN PILLAI ((*Additional Head Sirkar Vakil*): The Standing Order as it is now placed before the Council is opposed.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether there is any amendment proposed by the learned Law Member?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, but I oppose this amendment.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Therefcre am I to understand that he opposes the whole Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. It amounts to that.

The Standing Order now provides that five days' notice should be given in order that the official members may be able to give full information on the point raised in the cut motion. Now the point for consideration is whether three days would be sufficient to enable Government members to do their duty to this Council. The object of this notice is, as I have already indicated, to enable the official members to get the necessary information in order to decide whether they should oppose or accept the cuts proposed in the Council. Whether the cut motions are accepted or rejected—that is a matter which depends upon the judgments of the House; and nobody can foresee it—I consider that it is one of the supreme duties of the Government members to collect all the information possible and place it before this House. That is the duty which I do not like any member of Government to fail in whatever may be the result of the motion.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the Law Member the period of notice fixed in the Legislative Assembly?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall proceed to that presently.

LIBRARY ARCHIVES Kerala Legislative Assembly

Having regard to the duty of the Official members which I consider very important, I feel that three days would be too short a period for them to discharge it. It is after receipt of the notice that the Government members have to get all the information required to reply. Unless they get sufficient time they will not be able to give satisfactory answers to the questions raised by the members on the other side of the House.

Mr. R. Kesava Pillai asked me about the rule in regard to the notice in the case of the Legislative Assembly. There two days' notice would be sufficient. But I need hardly remind the House that the constitution of the Legislative Assembly is different from the constitution of this Council. Here the official members have to deal with the subjects after they get the notice from the non-official members.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karunagapalli*): May I know whether the constitution here is less efficient than the constitution there?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not what I say, Sir. In the Assembly there are Executive Council members *i. e.* Government members each one of whom is in charge of particular port folios and they can deal with questions in the Assembly also on their own responsibility. That is not the case here.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is not the required information available in the Secretariat?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Information may be available in the Secretariat. But all that is available in the Secretariat would not be enough for giving full and satisfactory answers to the questions raised. The Secretariat Officers would have to depend upon the information contained in the files and if that is all that the House expects from every one of us on this side of this House, then it may be good and easy for some of us, at any rate. But the House expects us to speak on behalf of Government in regard to the questions raised in the motions, that makes a large difference.

MR. K. GEORGE (*Chief Secretary to Government*): May I ask the member whether the proposal to cut or omit an amount has not first to be communicated to the Heads of the Departments who had to answer in the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. The views of the Heads of the Departments have to be ascertained and the Heads of Departments in charge of the various Budget Demands have to ascertain the views of Government. It is in view of all these that I request the House to consider whether three days' notice would be sufficient.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Will it not be possible to ascertain the views of the Heads of the Departments within three days?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sometimes it may not be possible.

Then, Sir, I can understand the necessity for the amendment if any difficulties have been actually felt by the members on the other side of the House on account of the present provision for five days' notice. Under the Standing Orders the President may even waive notice in fit cases.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will all the difficulties that my friend has been detailing be obviated if the President waives notice and admits motions which give only three days' notice?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes; in some cases even one day's notice would be enough. That is why I said in fit cases. It may be left to the President to waive notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will not the Government members be in difficulty in such cases?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is only in unavoidable and deserving cases that we expect waiver of notice to be applied for and get sanctioned. If in such fit cases, waiver is prayed for and the President refuses to grant it, then I can understand an amendment of this kind. But such difficulties have not arisen so far. I can give a number of instances where notice has actually been waived.

As regards the advisability of adopting this amendment as I have already submitted, it will put the Government members into very serious difficulty in the discharge of their supreme duty to this House.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): This question was considered, Sir, at some length in the Select Committee. The original Standing Order prescribed notice of five days. Mr. Asan's amendment was to put it as two days. We thought that the interests of all concerned would fairly be satisfied if instead of two days, as suggested by Mr. Asan, and five days as at present; three days is now fixed as the period of notice. The difficulties which my friend, the Law Member now apprehends, are to my mind, practically imaginary. When the Budget is prepared, all available materials are collected and considered by the Head of the Department before he submits his departmental Budget to Government and Government are supposed to go through the Budget in detail, call additional information wherever necessary and ultimately place the budget before the Council for sanction. To say, Sir, that something new might turn up which would necessitate a reference back to the Head of the Department, does not commend to me as something very serious. Perhaps this amendment would mean a little extra pressure thrown on the Departmental Heads and the Secretariat Officers. I can concede that, but the pressure under which even now

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they have to work during Budget Sessions cannot be considerably enhanced by this little extra pressure also being added on to it. No doubt, the President will be fairly disposed to consider exceptional circumstances. What the proposed amendment contemplates is that without placing the President in an inconvenient position the object could be achieved by amending the Standing Order concerned. That certainly is better than making an appeal to the President for suspending the Standing Order whenever prescribed notice could not be complied with. I do not think, Sir, there is anything very serious about it. Reference was made, Sir, by my friend Mr. Paramesvaran Pillai to the Executive Council in the Legislative Assembly. I do not think that that makes any very serious difference because the Executive Council members also may have to make references to the Departmental Heads.

The Executive Council members of the Government of India or the members of the Fort St. George are not the Heads of Government. They control the affairs just as the different sections of our Secretariat deal with them here. Our Secretariat Sections must certainly correspond to the different members of the Executive Council. If the Executive Council Members do not find any difficulty in securing the necessary information from the Departmental Heads within two days, what is the difficulty here? So far as this Council is concerned to get information from the Heads of Departments particularly all of whom are in Trivandrum is easy enough. Certainly it cannot be difficult for the Government to secure all the information that they call for in time. Further if after this amendment is carried, if real difficulty is felt as is now feared by Mr. Paramesvaran Pillai, it is certainly open to us to alter the Standing Order and make it five or six or even seven days.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I ask whether any difficulty has been felt by the members on the other side of the House on account of the present provision of five days?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Certainly it seems to have been felt. That was the ground on which permission was granted by the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am asking for the member's personal experience whether he has felt any difficulty in the matter?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Unfortunately, Sir, I had not sent any cut motion during all these years that I have been a member of the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Has any difficulty been brought to his notice by any member of this House?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Yes. That is it. That is why the amendment is pressed before this House; and the Select Committee is in favour of the amendment

LIBRARY ARCHIVES Kerala Legislative Assembly

[Rao Bahadur K. A. Krishna Aiyangar].

of the Standing Order. There is Mr. Asan distinctly assuring the House that difficulty *is felt* on account of the present provision and my friend Mr. Paramesvaran Pillai is also prepared to concede it. His only point seems to be that the Government members would be at a serious disadvantage in the matter of collecting the necessary information from the Departmental Heads, as if necessary information would not be available in the Secretariat. Whatever information is necessary, I think, will be available in the Secretariat because all matters are dealt with in the Secretariat at some stage or other, and I take it that all Budget demands and motions are dealt with by the Secretariat.

Why make such a serious opposition to what appears to be a change intended for the convenience of the non-official members who feel that they are being heavily handicapped in the discharge of their duty? How is the Government seriously prejudiced by the proposed change? My friend said that if the members on this side of the House would be satisfied with the information available in the Secretariat alone, he would have no objection to accept the amendment now under consideration. Certainly, he is not expected to do anything more than that. The information in the Secretariat will certainly be quite substantial and reliable. If he thinks that it has to be supplemented, by all means, let him collect all possible information from the Head or the subordinates of the Departments concerned within the few days that he has before him. It is certainly open to him to say 'You have given me only three days' notice; this is all the information that I could possibly get within that time; I asked for five days' notice but you gave me only three days'. That is a perfectly intelligible position. But to say at the outset that there are very serious difficulties which would handicap Government and the Government members, does not strike me as fair. By way of analogy, let us take the case of the adjournment motions. They do not deal with airy nothings; they also deal with subjects which in the opinion of the Council are important and urgent. Notice of these adjournment motions are given in the morning, and, ordinarily, they are discussed in the afternoon of the same day itself. It is only in exceptional cases that the discussion is postponed to the afternoon of the next day. How do the official members manage to collect all the information necessary within the few hours after notice of these urgent motions is given? If they can do that, I do not see how in the case of Budget motions they could say that the difficulties would be very serious if the number of days of notice is curtailed. I therefore support Mr. Asan's motion.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I also support Mr. Asan's motion. A pertinent question has been asked by the learned Law Member, namely, whether any difficulty has been experienced by the members on this side of the House on account of the existing provision in Standing Order No. 56. That question has to be answered. Sir, it will be fresh in the minds of the members of the House that, sometimes, even the preliminary edition of the Budget is supplied to the members just when they come here to attend the meeting on the

LIBRARY ARCHIVES Kerala Legislative Assembly

opening day of the Budget Session. Even the demand paper is supplied to them only on the day on which they attend the meeting. On account of these difficulties, there have been precedents when we have been compelled to adjourn the meeting or to postpone the date originally fixed for the general discussion of the Budget. Such precedents we can find out by a reference to the proceedings of the Legislative Council. There is no provision either in the Regulation or in the Standing Orders which compels the Government to supply copies of the preliminary edition of the Budget a certain number of clear days before the Budget is actually presented before the Council. It is therefore completely within the discretion of the Government to supply copies of the preliminary edition of the Budget whenever they like, sometimes even so late as when they come here to attend the meeting or leave their houses for that purpose. Under the existing provision, only two days are allotted for the general discussion of the Budget; and, on the third day the demand for the Land Revenue Department is taken up for consideration. As I already submitted, even the demand paper is supplied to the members only on the day on which the Budget is presented before them. There is no rule for giving five clear days' time to the *members on this side of the House* for sending up their motions with reference to the Land Revenue Department which comes almost always on the first day of the voting of grants.

MR. K. GEORGE (*Chief Secretary to Government*): May I know from the member whether there has been any occasion so far when the Budget was placed in the hands of the members only on the day of the meeting or even just one day before?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I thought the learned Chief Secretary would not question that statement of mine. Even on the last occasion, Sir, the preliminary edition of the Budget was supplied to us only on the first day of the Budget Session, so that there was a lot of complaint from the members on this side of the House and the President, the predecessor of the present President, postponed the date on which the general discussion of the Budget was to begin in order that the members might have time to go through the Budget and prepare for the general discussion. That is quite fresh in my mind and, I hope, in the minds of other members also.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): May I ask the member, when the copies of the preliminary edition of the Budget for the current year were placed in the hands of the members?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): All right, Sir, I congratulate the Government for placing the copies of the preliminary edition of the Budget, a few days earlier this time (*Laughter*).

As long as there is no definite provision either in the Regulation or in the Standing Orders obliging the Government to place copies of the preliminary edition of the Budget before the members on this side of the House with a certain number of days' notice to them, at present

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. P. Nilakanta Pillai.]

the Government are allowed to supply copies of the preliminary edition of the Budget at any time they choose, the members on this side of the House are sure to feel serious difficulty in studying the Budget and in sending up their cut motions within the time prescribed by the Standing Orders. So far as the old members are concerned, the difficulty may not be very serious, because, by their experience, they would know the technical terms and the different heads of the Budget. It is easy for them to refer to the Budget and to study it. But, in the case of new members, they would certainly feel considerable difficulty even to understand the different terms used in the Budget and to make pointed references to the numerous items contained in it. How is it possible for new members to study the Budget, within the short time at their disposal, and to send up their cut motions within the time allowed by the Standing Order?

MR. MATTHEW MURIKKAN (*Vaikam*): Does my friend therefore say that he would not support Mr. Assan's amendment now before the House if there is a definite assurance from the other side of the House that copies of the preliminary edition of the Budget would be placed in our hands a certain number of days before the date on which the Budget is presented?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Certainly, if there is such an assurance from the other side, it is a point to be considered by us, on this side of the House, in fixing the number of days' notice that we should give for our motions.

MR. KAYALAM PARAMESAVARAN PILLAI (*Additional Head Sirkar Vakil*): How many days before the presentation of the Budget does my friend, Mr. Nilakanta Pillai, want the copies of the preliminary edition of the Budget to be supplied to the members?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): On the first day of the Budget Session, the Budget is presented before the Council. After the first day, two days are given for the members to go through the Budget. Then, there is general discussion on the Budget for two days.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What I want to know is whether it would satisfy my friend and the other members, if copies of the preliminary edition of the Budget are supplied to them two days before the Budget is presented to the House?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it a hypothetical question that my friend is now asking?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, no; I want to know whether it would be considered sufficiently early if copies of the preliminary edition of the Budget are supplied to the members, say, two days before the day on which the Budget is presented to the House?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Even then it would not be sufficiently early; because the members would not get five days' time.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If copies of the preliminary edition of the Budget are supplied to the members two days before the date of presentation of the Budget.....

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I just suggest, Sir, that any such undertaking by my friend Mr. Paramesvaran Pillai, that copies of the preliminary edition of the Budget would be supplied two days before the presentation of the Budget, cannot take the place of a Standing Order. This sort of assurance is not binding on Government. Therefore, what is the good of continuing that discussion unless the Government seriously contemplate an amendment of the Standing Orders in the light of the observations now made by my friend Mr. Nilakanta Pillai? The whole discussion as it is seems to me to be irrevelant.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not see how, and why the learned Deputy President should question the relevancy of my question. I may seek to add a rider to the amendment now before the House.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): For the best of reasons, my friend need not lose his temper. I do, even now, distinctly question the relevancy of his observations, once again, with a full sense of my responsibility. So long as my friend did not preface to speak on behalf of Government and did not specifically offer to add a rider on to the existing Standing Order, providing that copies of the preliminary edition of the Budget shall be placed in the hands of the members of the Council a certain number of days in advance of the actual presentation of the Budget, I submit, his personal undertaking and any discussion on it is irrelevant. Of course, if *you*, Sir, say that my observations are not relevant and are out of order, I am prepared to submit to the ruling.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If such an offer from the learned Law Member is not coming forward in an acceptable form, there is no use in answering the question now put to me by him.

Sir, the difficulties which confront the non-official members of the House are the same which I have just now explained. I think I have answered the learned Law Member's question whether any difficulty has been experienced by the non-official members on account of the present provision in the Standing Order. There is therefore no ground for opposing the amendment now before the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Has any member requested the President to waive the notice on account of the difficulties experienced by him?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): In the Rules and Standing Orders, the members' hands are tied down. Even if they delay their motions by a day or by an hour, their motions would not be accepted by the President. On account of the strict enforcement of the provisions, the members would have to appeal to the President for waiver of the notice every time there is insufficiency of it. It is just to avoid such frequent trouble that the Standing Order is now sought to be amended.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Has not the President the power to waive notice?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The President certainly has got that power. But, when we have got the power to amend the Standing Orders suitably, why should we pray for the President's mercy every time we experience this difficulty in regard to notice. And, most often the President would refuse to grant our prayers for the waiver of notice. Why should we pray for special favour from the President when we have got the *right* to make suitable provisions? Therefore, that question as to whether any of us has ever approached the President for waiver of notice is out of place.

I therefore submit that the Bill is highly necessary. I therefore support Mr. Asan's motion.

MR. K. GEORGE (*Chief Secretary to Government*): There seems to be some slight misconception on the part of my friend Mr. Krishna Aiyangar, as to the necessity for this notice of motions. He seems to think that the Budget is managed and conducted entirely by the Secretariat Officers.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Any way, three days' notice would, I think, be sufficient.

MR. K. GEORGE (*Chief Secretary to Government*): This notice is not for the Secretariat Officers to collect any information. The reason why this notice is required is not that the Secretariat does not possess information on the different subjects. But in the case of the Heads of the Departments, there would be some difficulty in the matter of preparing their answers to the cut motions. In some cases, they may have to make references to their subordinates. In some other cases they may have to take the orders of Government as to what they should say in reply to certain motions. For all these reasons, it is desirable that we have the period of notice now given in the Standing Order, namely, five days. It is not the Secretariat Officers that come and make demands here; it is the Head of the Department himself. He makes the demand; and *he* has to answer the questions raised during the discussion of the cut motions. He has to prepare his case; and that takes some time. And, in the preparation of his answers, sometimes, he has to consult other officers. Sometimes he has to make a consultation with Government. It is for these reasons that we desire to have the five days' notice now provided for in the Standing Orders.

LIBRARY ARCHIVES Kerala Legislative Assembly

I may also say a word about one other point, namely, the analogy of the adjournment motions. The difference between adjournment motions and cut motions on the Budget is this. The adjournment motion is and has to be only on one matter of urgent public importance. But, the motions for the reduction of grants, as the House well knows, deal with a multitude of important questions. That is the difference between cut motions and adjournment motions. That is all that I have to say.

MR. E. G. MCALPINE (*Director of Public Instruction*): It is not my habit, Sir, to intervene in a discussion that does not concern matters relating to the Education Department. Although this is a general topic, it has a practical significance for the Heads of Departments who have, in the Council, during the Budget Session, to answer for their respective departments and, there are practical difficulties which I do not think the members on the other side of the House appreciate. The Education Department, for example, last year, had over one hundred token cut motions.

Now, Sir, there are three kinds of token motions, one where the member does not specify what he wants to talk about; a second type where the member specifies the topic and the topic is a general one say for example, he wishes to discuss the grievances of a certain class of teachers under the reorganisation of the Vernacular School Teachers' salary. On a topic of such kind, it is natural to expect that the Director of Public Instruction will have information in his office, and, if *he* has not got it in *his* office, he can have access to the Chief Inspector who will have it. But, Sir, there is a third type of cut motions dealing with specific places and with specific teachers and with the grievance of perhaps of some headmaster of some school. In a case of this kind, generally, with three days' notice, it will not be possible for the member, in charge of the reply to the cut motion, to get all the information necessary. During the last Budget Session, I had an instance where the information required was not available in my office; it was not available in the office of the Chief Inspector, and I requested him to send for it to the office of the Assistant Inspector concerned. But the Assistant Inspector was not at headquarters; he is an officer who has to be out on tour for not less than two-thirds of the month. The letter goes to his camp. He might have gone to a place, sometimes twenty or thirty miles off from headquarters, so that by the time the letter goes to the camp he leaves that place and goes to another place. The letter thus follows him sometimes for days together.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Without reference to three classes of motions that the Director has now been speaking of, may I know from him whether there does not arise a presumption that the Head of the Department is expected to post himself with all information, about the conduct and other matters of all the headmasters of schools, in the ordinary course of things, apart from the motions in the Council?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. E. G. MCALPINE (*Director of Public Instruction*): As long as the members on the other side do not expect me to send for information from subordinate offices, and expect me only to place before them whatever information is available in *my* office, I am only delighted. But the fact remains that the members choose to move cut motions on any topic whatever; and I am expected to deal with them. On the last occasion, Sir, there were certain type of motions—and I have no reason to believe that such motions will not occur in future also—upon which it is impossible for any departmental head to get the required information in time. As long as the members on the other side of the House understand this, I dare say they would not fail to realise that this is a genuine difficulty that we have in the matter.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I ask the member whether the difficulties that he is now referring to are peculiar to the Travancore Legislative Council?

MR. E. G. MCALPINE (*Director of Public Instruction*): I have experience of only one other Legislative Council in India; and there, the period of notice was longer than here.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): The learned Law Member said that for the convenience of the heads of departments these five days' notice was necessary. Are not these departmental heads expected to be thorough with every topic concerning their department? We, the members on this side of the House, want to curtail this period of notice to three days, because we want to get ample time to study the Budget. We cannot be expected to be thorough with departmental matters as the heads of the departments concerned. The departmental heads have to prepare their Budgets and send them to Government early enough, when *they* could have studied everything concerned with their own Budgets long before the meeting of the Council. Therefore, for replying to the cut motions during the meeting of the Council, the heads of departments do not require any previous preparation. They know, long before the meeting, what the Budget contains. On the other hand, so far as we are concerned, we require time to study the Budget and to get a clear grasp of it. It is only after studying the Budget carefully that we can send in our cut motions. It is for that purpose that we want to curtail the period of notice to three days.

Then, Sir, the Education Director said that the members on this side of the House are not in the habit of sending in the topics of their motions, generally.

MR. E. G. MCALPINE (*Director of Public Instruction*): On a point of personal explanation, Sir, I did not say that the members were not *in the habit of* sending in their topics. I said that token motions were of three kinds and that in one of those three classes the members do not send in the topics which they wish to discuss. That is quite different from saying that the members are not *in the habit of* sending in their topics. I only said *some members did not do so*.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): At any rate, in the case of the majority of members it was suggested.....

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MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the member whether in the case of token cut motions the members are bound to inform the official members the objects of the motions?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I do not think the members are bound to do that.

The learned Law Member said that if we could not give the five days' notice as prescribed by the Standing Orders we could request the President to waive the notice. Sir, this waiver of notice depends entirely on the good wishes and sweet will of the President. Today, we may have a President who is kind enough to grant it. Tomorrow another President may come who refuses to waive the notice. We wish to curtail this period of notice, as a matter of *right* instead of craving for a *favour* from the President.

Then, the Law Member asked whether, if an assurance is given that copies of the preliminary edition of the Budget would be supplied to the members a certain number of days before the first day of the meeting of the Budget Session, the members would have any objection to the five days' notice now provided for in the Standing Orders. Sir, in the case of these assurances, there is no statutory obligation; and it may not always be adhered to. The assurance, therefore, has no value; and we cannot depend upon it. We want to amend the Standing Order in question so that we may claim it as a matter of right. With these words, I support Mr. Asan's motion.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): മി. ഭാമോദരൻ അ ശാന്റെ ഭേദഗതിയോട് ഞാൻ അനുകൂലിക്കുന്നു. എല്ലാ ഡിപ്പാർട്ടുമെ ൻറുകളുടേയും വരവുചിലവുകളെപ്പറ്റി പഠിക്കുന്നതിനു മെമ്പറന്മാക്കു അ നുവദിച്ചുകൊടുത്തിട്ടുള്ള സമയം രണ്ടുദിവസമാണു്. അതിനെ ഒരുവി ധം പഠിച്ചു് ഉപക്ഷേപങ്ങളോ മറേറാ കൊണ്ടുവരുന്നതിനു മെമ്പറന്മാ ക്കു് വളരെ കുറച്ചുസമയമേ ഉള്ളു. ഓരോഡിപ്പാർട്ടുമെൻറുമേലധികാരി യും അവരവരുടെ ഡിപ്പാർട്ടുമെൻറിനെസംബന്ധിച്ചിടത്തോളം വേ ണ്ട അറിവുകൂടി സമ്പാദിച്ചതിനുമേലാണു് ഈ ബഡ്ജറു തുപീകരിക്കു ന്നതു്. അവക്കു് ഏതെങ്കിലും ഒരു തൃപ്തികരമായ ഉത്തരം തരുന്നതിനു അഞ്ചുദിവസത്തിൽകുറഞ്ഞാൽ വളരെ പ്രയാസമായിരിക്കും. തൃപ്തി കരമായ സമാധാനമില്ലാതെയിരുന്നാൽ മെമ്പറന്മാർ വളരെ അതൃപ്തരുമാ യിരിക്കുമെന്നാണു് പണ്ഡിതനായ ലാമെമ്പർ ഇവിടെ പ്രസ്താവിച്ചതു്. കേവലം സാധാരണബുദ്ധിക്കുതന്നെ അശേഷം യോജിക്കുന്നതായിട്ടു് ഇ രിക്കുന്നില്ല എന്നാണു് എനിക്കു തോന്നുന്നതു്. പൊതുവേയുള്ള ഒരു ജ്ഞാനം സമ്പാദിക്കുന്നതിനു രണ്ടുദിവസം മാത്രമാണു് ഞങ്ങൾക്കു അനു

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. V. S. Krishna Pillai.]

വദിച്ചിരിക്കുന്നതു്. ആ സ്ഥിതിക്കു് പ്രത്യേകമായ ഒരു ഡിപ്പാർട്ടമെൻറിന്റെ ഏതെങ്കിലും ഒരു സംഗതിയെപ്പറ്റി തൃപ്തികരമായ സമാധാനം കൊടുക്കാൻ അഞ്ചുദിവസം പോരായെന്നുപറയുന്നതു് സാധാരണബുദ്ധിക്കുതന്നെ യോജിക്കുന്നതായും തോന്നുകയില്ല. ആ സ്ഥിതിക്കു് ഈ വാദപ്രതിവാദത്തിനുതന്നെ അവകാശമുണ്ടോയെന്നും എനിക്കുതോന്നുന്നില്ല. തീച്ചയായും മൂന്നുദിവസം ധാരാളം മതിയാകുമെന്നു സെലക്ററ്കമ്മിറ്റി അഭിപ്രായപ്പെട്ടിരിക്കുന്നതു് വളരെ ബുദ്ധിപൂർവ്വമാണെന്നാണു് എന്റെ അഭിപ്രായം. അതുകൊണ്ടു് മി. ആശാന്റെ ഭേദഗതിയെ ഞാൻ ഹാർദ്ദമായി അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Sir, at the outset I must say that I would not have asked for reducing the number of days of notice from five days to three days if I thought that it would lead to inaccurate and unsatisfactory replies from the Government side. As for that matter, I submit, even at present the replies given are not satisfactory enough. If the reduction in the number of days of notice is going to lead to even more unsatisfactory replies from the official members, I am not one who would prefer that. From what the learned Law Member said I infer that the constitution of the Government machinery here is something less efficient than that of the Government of India. Otherwise, there is no reason why the Officials here alone should require a longer notice than those in the Assembly. It appears that there is something wrong either with the Government *machinery* here, or with the *personnel*. Our complaint has always been that the Government Officers are now over-paid and that they ought to be able to manage their affairs with much more efficiency than at present. Now, they themselves admit that they are not as efficient as the Officers of the Government of India. Sir, it is within the power of the Government to alter the machinery or the personnel. There is no use in telling us that they are not able to give satisfactory answers since they have been handicapped by the shortening of the period of notice.

A suggestion was made by the learned Law Member that the President has got the power to waive the notice for motions; and the Law Member asked the question whether any member on this side of the House has applied to the President for waiver of notice. I know, as a matter of fact, Sir, that several motions have been disallowed on the ground that the required notice had not been given. I may cite just one instance, Sir. I do not think any purpose would be served by my citing a number of instances. That would amount to a comment on the action of the President, which we would not be justified in making.

In *my* own case, Sir, there has been one unfortunate instance. For questions, Sir, twelve clear days' notice has to be given. For the first meeting of the Council, after I was newly elected, I sent some questions by Anchal just in time for the Secretary to get the twelve

LIBRARY ARCHIVES Kerala Legislative Assembly

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clear days' notice. Unfortunately for me, on account of the fault of the Anchal Department, the letter was delayed, and the Secretary got only eleven days' notice. Most mercilessly, Sir, my question was rejected for want of a single day's notice.

MR. L. A. BISHOP (*Commissioner of Police*): Did the member affix the necessary stamp for his letter?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I sent a bearing letter. We are privileged to send bearing letters to the Secretary. I wrote to the Secretary to ascertain the date of receipt of my letter. I adduced evidence as to the date of posting of the letter at Quilon. I wrote to the Anchal Superintendent. A lot of correspondence took place, but without any satisfactory result.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Did he request the President to waive notice?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I got a reply from the Secretary, about the want of notice and the consequent rejection of my question, only about five days before the date of the meeting. I had then to write to the President for waiver of notice, get it sanctioned, again write to the Secretary and get the answers prepared after all that. I thought, all that was not easy or possible and that it would end in mere waste of my stationery.

I therefore submit, Sir, that the observations of the Law Member do not satisfy me, nor do I think that it is safe or sure to go and trouble the President for waiver of notice and get it sanctioned every time we have the difficulty.

Another question which the Law Member asked was whether this side of the House would be satisfied if an assurance is given as regards the early and timely supply of copies of the preliminary edition of the Budget. I submit, that assurance will not do. The preliminary edition of the Budget gives us only the figures. They are actually explained only during the presentation of the Budget by the Financial Secretary; and it is only after hearing the Financial Statement of the Financial Secretary that we can decide whether any cut motion is necessary. Sir, why should we undergo all these troubles when we have the right to reduce the number of days of notice? In the Assembly, Sir, they have only two days' notice.

In Madras they have only three days' notice. Sir, this is the only occasion on which I find myself happy for the fact that Travancore is after all only a small State. If it had been bigger, the learned Law Member and the other official members would demand much longer notice than even five days; because the learned Director would have to ascertain facts about the conduct of headmasters who are thousand miles away from Trivandrum. Sir, the Heads of Departments and the Secretariat Officers must be thorough with matters relating to the Heads of the Budget that they have to deal with. They have no excuse for asking for more time than what is allowed in such Councils elsewhere. With these words, I press the motion.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT: I think it may now be put to vote.

Those who are for the motion will please raise their hands.

All the non-official members voted for the motion and hence the motion was declared carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I demand a poll.

PRESIDENT: All the non-official members who are present to-day as a body have voted for the motion. I do not think there is any necessity for taking a poll.

Already a note has been made of the members who are present to-day and all the non-officials in a body have voted for the motion.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): I demand a a poll just to know whether there are any neutrals among the official members.

PRESIDENT: Among the officials, let me know those who are against the motion.

All the official members stood up against the motion so that there was no neutral.

PRESIDENT: I think you are satisfied now, Mr. Kesava Pillai. There is no room for neutrals here. (Laughter).

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I move that this Bill be taken up and passed on a subsequent meeting.

PRESIDENT: What is the sense of the House as regards the leave that is applied for?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): This is only a continuation of the other proceeding namely that this Bill be taken up and passed on a subsequent meeting.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): I second it.

PRESIDENT: May I take it that the House sanctions it?

The motion was carried.

THE TRAVANCORE KSHATRIYA BILL.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): സർ, തിരുവിതാംകൂർ ക്ഷത്രിയ ബിൽ ഈ കൌൺസിലിൽ അവതരിപ്പിക്കുന്നതിന് അനുവാദം ചോദിച്ചുകൊള്ളുന്നു.

PRESIDENT: As there is no opposition I take it that leave is granted to introduce the Travancore Kshatriya Bill by Mr. Revati Nal Rama Varma Raja.

The motion was carried.

A BILL TO AMEND THE TRAVANCORE NAYAR REGULATION, II OF 1100.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I beg to move for leave to introduce a Bill to amend the Travancore Nayar Regulation II of 1100.

PRESIDENT: There is no opposition and so I take it that leave is granted to introduce a bill to amend the Nayar Regulation II of 1100.

The motion was carried.

LIBRARY ARCHIVES Kerala Legislative Assembly